

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
5:16-CR-47-H-1

UNITED STATES OF AMERICA

v.

REGINALD ALEXANDER STUBBS,

Defendant.

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**ORDER**

This case comes before the court, pursuant to the court's 22 July 2016 Order (D.E. 33), for appointment of a psychiatrist to perform an additional examination of defendant pursuant to 18 U.S.C. § 4241 to determine his competency to understand the nature and consequences of the proceedings against him and to assist properly in his defense. In accordance with the 22 July 2016 order, both parties proposed psychiatrists to perform the additional examination. *See* D.E. 34, 35. The one psychiatrist they proposed in common is Manish A. Fozdar, M.D., DFAPA. The court agrees with the parties that he is qualified to perform the additional examination and finds that he is the most appropriate person to do so.

IT IS THEREFORE ORDERED as follows:

1. Dr. Fozdar is appointed to conduct a psychiatric examination of defendant in accordance with 18 U.S.C. § 4247(b).
2. Dr. Fozdar shall conduct the psychiatric examination by 24 August 2016.
3. The psychiatric examination shall include an assessment of any organic and/or neurological conditions defendant may have and their effect, if any, on defendant's competency. Dr. Fozdar may perform any medical tests he deems necessary in his professional judgment to make such an assessment.

4. Dr. Fozdar shall prepare a written report on the psychiatric examination including, but not necessarily limited to, the information prescribed by 18 U.S.C. § 4247(c) and a copy of his curriculum vitae.

5. Dr. Fozdar shall complete the report and provide it to defendant's counsel within 14 days after the psychiatric examination is completed, but in no event later than 7 September 2016. Defendant's counsel shall file the report (including any attachments) with the court under seal without further order of the court and serve it on the government's counsel by the same deadline.

6. Defendant shall cooperate in the psychiatric examination by Dr. Fozdar.

7. By 10 August 2016, defendant's counsel shall provide to Dr. Fozdar the materials specified in the 22 July 2016 Order (at p. 5, ¶ 9) and a copy of D.E. 32, which sets out defendant's criminal history and of which the court is taking judicial notice by separate order. Dr. Fozdar may consider such other documents as he deems appropriate, provided that he shall send a copy of each such document to counsel for defendant at or before the time his report is filed and that defendant's counsel shall serve a copy of each such document on counsel for the government on the date of receipt from Dr. Fozdar.

IT IS DIRECTED that the Clerk today send a copy of this Order and the court's 22 July 2016 Order (D.E. 33) to Dr. Fozdar at the following address:

Manish A. Fozdar, M.D., DFAPA  
Triangle Forensic Neuropsychiatry, PLLC  
4700 Falls of Neuse Road, Suite 250  
Raleigh, NC 27609-6200.

This 3rd day of August 2016.



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James E. Gates  
United States Magistrate Judge